

SCOTTSDALE

CITY COUNCIL MEETING

NOTICE AND AGENDA



COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Tony Nelssen

Tuesday, July 11, 2006

5:00 P.M.

CITY COUNCIL MEETING

MARKED AGENDA

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:10 PM**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **COUNCILMAN ECTON**

Invocation – **NONE**

Presentations/Information Updates

Approval of Executive Session Minutes – **OK – 6/0 (TN ABSTAIN)**

January 24, 2006

April 4, 2006

February 21, 2006

April 25, 2006

March 7, 2006

May 2, 2006

Public Comment – **JANE RAU REQUESTED HISTORIC PRESERVATION STATUS FOR GREASEWOOD FLATS.**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

CONSENT AGENDA

ITEMS 1-35

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

CONSENT AGENDA

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1. **Agent Change and Acquisition of Control Request for Five Superpumper Locations – OK – C**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for an Agent Change and Acquisition of Control for five existing locations.

Locations:

- 15550 N. Thompson Peak Parkway, Superpumper No. 12
- 23609 N. Scottsdale Road, Superpumper No. 11
- 15752 N. Frank Lloyd Wright Boulevard, Superpumper No. 6
- 8990 E. Shea Boulevard, Superpumper No. 4
- 8646 E. Frank Lloyd Wright Boulevard, Superpumper No. 5

Reference: 86-LL-2002#2

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

2. **Phoenix Wine (Beer and Wine Bar) Liquor License – OK – C**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a new series 7 (beer and wine bar) liquor license for an existing location currently operating with a series 10 (beer and wine store) liquor license.

Location: 10820 N. 71st Place

Reference: 36-LL-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

3. **Pita House (Restaurant) Liquor License – OK – C**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a newly licensed location.

Location: 7210 E. First Avenue, Suite 16

Reference: 38-LL-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

4. **Ibiza Cafe (Restaurant) Liquor License – OK – C**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location.

Location: 4400 N. Scottsdale Road, Suite 12

Reference: 39-LL-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

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5. **Eddie Chan's Asian Bistro (Restaurant) Liquor License – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a new location.
Location: 20581 N. Hayden Road, Suite 115
Reference: 44-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov
6. **Mondrian Scottsdale (Hotel/Motel) Liquor License – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 11 (hotel/motel) liquor license for an existing location.
Location: 7353 E. Indian School Road
Reference: 45-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov
7. **Waterfront Market (Restaurant) Liquor License – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) and a new series 12 (restaurant) liquor license for a new location.
Location: 7135 E. Camelback Road, Suite 195
References: 47-LL-2006; 48-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov
8. **La Madeleine Bakery & Cafe Agent Change (Restaurant) Liquor License – OK – C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for an Agent Change for a series 12 (restaurant) liquor license.
Location: 7014 E. Camelback Road, Suite 564
Reference: 49-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov
9. **Mimi's Cafe Agent Change Request – OK – C**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for an Agent Change for an existing restaurant.
Location: 8980 E. Shea Boulevard
Reference: 52-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

CONSENT AGENDA

10. **Kona Grill Agent Change (Restaurant) Liquor License – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for an agent change for an existing series 12 (restaurant) liquor license.
Location: 7014 E. Camelback Road, Suite 559
Reference: 53-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov
11. **BS West Permanent Extension of Premises – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for the addition of a patio for an existing series 6 (bar) liquor license.
Location: 7125 E. Fifth Avenue, Suite 30
Reference: 17-EX-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Services and Administration, 480-312-2664, cpadian@scottsdaleaz.gov
12. **Outdoor Dining in the BS West Right-of-Way – OK – C**
Request: Adopt Resolution No. 6927 authorizing Agreement No. 2006-097-COS with D.M.E. III, Ltd., an Arizona corporation dba BS West, to use approximately 315 square feet of the City of Scottsdale street right-of-way located at 7125 E. Fifth Avenue for outdoor dining in conjunction with the adjacent restaurant property.
Location: 7125 E. Fifth Avenue
Related Policies, References: Section 2-221(b)(5) of the Scottsdale Revised Code allows the sale of City real property interests, including licenses, directly to adjoining property owners.
Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov
13. **104th Street and Bell Final Plat – OK – C**
Request: Approve Final Plat for Phase 2 Plat A consisting of 118 lots on approximately 81 +/- acres located within a Master Planned Community near Thompson Peak Parkway and Bell Road.
Location: E. Bell Road and 104th Street
Related Policies, References:
 - 9-PP-2004#2A
 - Rezoning of the property 24-Z-1991
 - Infrastructure and Environmental Design Master Plans 1-MP-2004
 - Development Agreement No. 2004-026-COS, amended
 - Preliminary Plat Approval 9-PP-2004
 - Phase 1A Final Plat Approval 9-PP-2004#1A
 - Phase 1B Final Plat Approval 9-PP-2004#1B
 - Phase 1C Final Plat Approval 9-PP-2004#1C**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

CONSENT AGENDA

14. Cattletrack Ranch Final Plat – OK – C

Request: Approve Final Plat for four residential lots on a 3.14 acre parcel.

Location: 6360 N. Cattletrack Road

Reference: 12-PP-2004

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

15. Rio Verde Estates Final Plat – OK – C

Request: Approve Final Plat for a 23-lot, single-family residential subdivision with amended development standards on a 50 +/- acre parcel.

Location: 13201 E. Rio Verde Drive

Reference: 23-PP-2004

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

16. Scottsdale Estates/Cactus Cove Final Plat – OK – C

Request: Approve Final Plat for an 11-lot development on a 6 +/- acre parcel.

Location: Northeast corner of E. Cactus Road and N. 90th Street

Related Policies, References: 13-PP-2005, Case 8-ZN-2005 rezoned the property from the R1-35 District to the R1-18 PRD District to allow this subdivision.

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

17. Baraca Estates Final Plat – OK – C

Request: Approve Final Plat for a 16-lot, single-family residential subdivision, with amended development standards.

Location: Northwest corner of N. Pima Road and E. Hawknest Road

Reference: 18-PP-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

18. Gold Dust Lot Split – OK – C

Requests:

1. Abandon the south 33-foot government land office (GLO) easement along the E. Gold Dust Avenue alignment.
2. Abandon the west 33-foot GLO easement along the N. 127th Street alignment.
3. Abandon the east 33-foot GLO easement at the approximate location of the N. 126th Place alignment.
4. Adopt Resolution No. 6911 vacating and abandoning public rights-of-way.

Location: 12655 E. Gold Dust Avenue

Related Policies, References: 1-AB-2006, 19-LD-2006, 1-HE-2006, 4-AB-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

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19. Gold Dust Hardship Exemption – OK – C

Requests:

1. Approve a Hardship Exemption (HE) from the Environmentally Sensitive Lands Ordinance for a waiver of the 15-foot sideyard wall setback requirement.
2. Adopt Resolution No. 6920 affirming the Hardship Exemption.

Location: 12655 E. Gold Dust Avenue

Reference: 1-HE-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

20. Hardy-KPJS Abandonment – OK – C

Requests:

1. Abandon 30 feet of a 55-foot easement for highway purposes for a distance of 945 feet.
2. Adopt Resolution No. 6932 vacating and abandoning public rights-of-way.

Location: 11120 E. Carefree Way

Related Policies, References: 3-AB-2006, General Plan, Master Circulation Plan, Trails Plan

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

21. Rutherford Abandonment – OK – C

Requests:

1. Abandon the north 13-foot portion of the government land office (GLO) easement along the E. Turquoise Avenue alignment.
2. Abandon the west 33-foot GLO easement along the N. 127th Street alignment.
3. Abandon the east 33-foot GLO easement at the approximate location of the N. 126th Place alignment.
4. Adopt Resolution No. 6946 vacating and abandoning public rights-of-way.

Location: 12684 E. Turquoise Avenue

Reference: 4-AB-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

22. Sanchez Property Abandonment – OK – C

Requests:

1. Consider the abandonment of an existing roadway easement located on the west side of the property located at 7650 E. Cortez Street.
2. Adopt Resolution No. 6933 vacating and abandoning public rights-of-way.

Location: 7650 E. Cortez Street

Reference: 5-AB-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

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23. Neighborhood Enhancement Partnership Program Guidelines and Neighborhood Enhancement Commission Roles and Responsibilities – MOTION TO APPROVE OPTION A – OK – 7/0

Request: Approve the guidelines for the Neighborhood Enhancement Partnership program, and, consistent with Ordinance No. 2530, authorize the Neighborhood Enhancement Commission to review requests and make recommendations to City Council regarding requests to be funded.

Related Policies, References:

- Scottsdale Revised Code Sections 2-321 to 2-324
- Ordinance No. 2530
- Neighborhood Enhancement Partnership Program Guidelines, 2003
- Neighborhood Enhancement Partnership Program Guidelines, proposed 2006 revisions
- Action Plan – Neighborhood Enhancement Partnership Audit Report No. 0516

Staff Contact(s): Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov; Judy Register, General Manager Citizen and Neighborhood Resources Department, 480-312-2454, jregister@scottsdaleaz.gov

24. Phase I Construction Services Contract for the McKellips Service Center Campus Public Safety and Maintenance Facilities, and Related Off-Campus Improvements – OK – C

Request: Authorize Construction Manager at Risk (CM@Risk) Construction Phase Services Contract No. 2006-110-COS with Sundt Construction, Inc., at the guaranteed maximum price of \$1,687,726 for the first phase of construction services for Police Operational Support and District One facilities and Fleet and Community Services Maintenance facilities at the McKellips Service Center; and for renovations for Police Communications at the District Two facility.

Related Policies, References:

- Council authorized Architectural Services Contract 2000-197-COS on May 14, 2001 for a Police Department master planning and site evaluation study.
- Council approved the Municipal Use Master Site Plan for a combined use campus at the McKellips Service Center site on April 5, 2004.
- The Development Review Board approved the site plan and elevations for the proposed Police Department facilities on May 6, 2004.
- Council authorized Architectural Services Contract No. 2005-029-COS with Durrant, and Architectural Services Contract No. 2005-030-COS with Larson Associates, architects for the design of the McKellips Service Center Campus facilities on March 22, 2005.
- On February 21, 2006, Council authorized CM@Risk Design Phase Service Contract No. 2006-003-COS with Sundt Construction, Inc.

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

25. Construction Bid Award for New Sewer Line Installation – MOTION TO AUTHORIZE CONSTRUCTION BID AWARD NUMBER 06PB106 – OK – 6/1 (TN)

Request: Authorize Construction Bid Award No. 05PB106 to Pierson Construction, the lowest responsive bidder, at their unit price bid of \$918,362 for new sewer line installation in the vicinity of Pinnacle Peak Road and 81st Street.

Related Policies, References:

- Council approved the Water Resources Master Plan on October 15, 2001
- Scottsdale City Code, Section 49-212

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

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26. **Design-Build Services Contract Modification for Tournament Players Club Golf Clubhouse – OK – C**

Request: Adopt Resolution No. 6948 authorizing amendment of Design-Build Services Contract No. 2005-052-COS with Regency Development, Inc., in an amount not to exceed \$830,000 for the design and construction of structural repairs and improvements to the golf clubhouse at the Tournament Players Club (TPC) of Scottsdale.

Related Policies, References:

- Council approved a Lease and Management Agreement with TPC/PGA Tour, Contract No. 850060 signed on December 10, 1984
- On May 3, 2005, Council authorized Design Services Contract No. 2005-052-COS with Regency Development for design and construction services for structural improvements at the TPC Clubhouse

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

27. **Landscape Architectural Services Contract for Design of Grayhawk Community Park Phase I – OK – C**

Request: Authorize Architectural Services Contract No. 2006-115-COS with Olsson Associates in the amount of \$445,438.03 for the design of Grayhawk Community Park – Phase I.

Related Policies, References: Council approved the Municipal Use Master Plan for the site on December 7, 1999 (5-MP-99).

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

28. **Construction Bid Award for Vista del Camino Community Center Renovation – OK – C**

Request: Authorize Construction Bid Award No. 06PB087 to AD Pro-Coat, LLC, the lowest responsive bidder, at their lump sum bid of \$3,114,041 for the renovation and expansion of the Vista del Camino Community Center.

Related Policies, References: On May 17, 2004, Council authorized Architectural Services Contract No. 2004-041-COS with OWP/P Architects for the design of the Vista del Camino renovation and expansion.

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

29. **Professional Services Contract for the Design of Vista del Camino/Yavapai Ball Field Improvements – OK – C**

Request: Authorize Professional Services Contract No. 2006-094-COS with Carter Burgess, in the amount of \$180,379 for the design of the Vista del Camino/Yavapai Ball Field improvements.

Related Policies, References: The adopted FY 2005/06 Capital Improvement Project budget includes funding for the planning, design and construction of the Vista del Camino/Yavapai Ball Fields.

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

30. **Construction Services Contract for Citywide Concrete Repairs/Retrofit – OK – C**

Request: Authorize Job Order Contracting Contract No. 2006-086-COS with Klondyke Inc., for construction services for the execution of citywide concrete repairs and retrofit.

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov

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31. **Architectural Services Contract for Scottsdale Center Performing Arts Renovation – OK – C**
Request: Authorize Program Management Services Contract No. 2006-087-COS to ZHA-VMS to develop conceptual theater improvements and provide construction programming for the renovation of the Scottsdale Center for the Performing Arts.
Related Policies, References:
 - City Council approved Architectural Services Contract No. 2004-030-COS with Douglas Architecture & Planning for preparation of construction documents for restroom and facility improvements at Scottsdale Center for the Performing Arts on May 4, 2004.
 - City Council modified Douglas Architecture & Planning Services Contract No. 2004-030-COS to prepare construction for Scottsdale Center for Performing Arts renovation on June 21, 2005.**Staff Contact(s):** Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov
32. **Engineering Services Contract for Central Groundwater Treatment Facility Upgrades – OK – C**
Request: Authorize Engineering Services Contract No. 2006-114-COS with Valentine Environmental Engineers LLC, in the amount of \$161,714.32 for the design of the Central Groundwater Treatment Facility upgrades.
Related Policies, References: On October 21, 2002 the City of Scottsdale signed the Amended Consent Decree, finalized/executed by the United States on June 5, 2003.
Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov
33. **Citizen Service Center at Papago Plaza Lease Extension – OK – C**
Request: Adopt Resolution No. 6928 authorizing Amendment No. 2000-156-COS-A3 with the Malouf Trusts to provide a third extension of Lease Agreement No. 2000-156-COS for the lease of 1,262 square feet of office space for a Code Enforcement and Beat 3 Police Department neighborhood office at Papago Plaza, 7111 E. McDowell Road.
Related Policies, References:
 - Resolution No. 5623 authorizing Lease Agreement No. 2000-156-COS was adopted September 18, 2000.
 - Resolution No. 5909 authorizing a two-year extension of Lease Agreement No. 2000-156-COS was adopted September 4, 2001.**Staff Contact(s):** Ed Gawf, Deputy City Manager, 480-312-4510, egawf@scottsdaleaz.gov; Judy Register, Citizen and Neighborhood Resources General Manager, 480-312-2454, jregister@scottsdaleaz.gov
34. **Building Lease for the City's Vista del Camino Parks and Recreation Staff – OK – C**
Request: Adopt Resolution No. 6951 authorizing Agreement No. 2006-118-COS with Del Rio @ Scottsdale, LLC to lease office space at 7607 E. McDowell Road in Scottsdale to be used as the Vista del Camino Community Center Parks and Recreation staff offices.
Related Policies, References: Article I, Section 3A of the City Charter gives the City authority to acquire property for any City purpose, in fee or lesser interest such as a lease.
Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

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35. **Engineering Services Contract for Design of Miller Road Sewer Phase III – OK – C**
Request: Authorize Engineering Services Contract No. 2006-095-COS with Brown and Caldwell, in the amount of \$590,686 for the design of the Miller Road Sewer Phase III, from McDowell Road to McKellips Road and the outfall sewer from the ASU Scottsdale (SkySong) site.
Related Policies, References: Water Resources Master Plan, approved by City Council on October 15, 2001
Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov; David M. Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov

Regular Agenda begins on the following page

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

36. Agreement for Sale of Planet Ranch – MOTION TO APPROVE – OK – 7/0

Request: Adopt Resolution No. 6960 authorizing execution of Real Estate Purchase Agreement No. 2006-124-COS between the City of Scottsdale and Phelps Dodge Corporation for the sale of Planet Ranch, including all related water rights, farm infrastructure and equipment, and the conveyance to the City of certain Phelps Dodge water rights.

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov; David M. Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov

37. Contract Modification for Design of Water System Booster Pump Station Improvements in the Downtown Area and Site Location – MOTION TO ADOPT RESOLUTION No. 6953 – OK – 7/0

Requests:

1. Review water booster pump station possible locations, including but not limited to, City-owned property located on the southeast corner of Marshall Way and Indian School Road, and land owned by Richard Funke located on the south side of Indian School Road, west of Marshall Way. Mr. Funke proposes a possible land trade with the City.
2. Adopt Resolution No. 6953 authorizing amendment of Engineering Services Contract 2005-012-COS with CSA Engineering, Inc., in the amount of \$572,000 for the design of a booster pump station and associated improvements.

Related Policies, References:

- On April 5, 2004, City Council authorized Engineering Services Contract Modification No. 2002-030A-COS with CSA Engineering, Inc., for the design of various waterline replacement projects for the year 2004, including an infrastructure revitalization study of the downtown water system.
- On February 8, 2005, City Council authorized Engineering Services Contract No. 2005-012-COS with CSA Engineering, Inc., for the design of water transmission mains in and around the downtown area as recommended by the study.
- On May 3, 2005, City Council authorized CM@Risk Pre-Construction Services Contract No. 2005-048-COS with Achen-Gardner Engineering, LLC.
- On July 5, 2005, City Council authorized CM@Risk Construction Services Contract No. 2005-106-COS with Achen-Gardner Engineering, LLC for the construction of water transmission mains to support the planned downtown revitalization.

Staff Contact(s): Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov; David M. Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov

REGULAR AGENDA

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38. Salty Seniorita Conditional Use Permit and Amended License Agreement – MOTION TO APPROVE – OK – 7/0

Requests:

1. Approve a Conditional Use Permit for a bar in an existing building located at 3636 N. Scottsdale Road with Downtown/Office Commercial District, Downtown Overlay (D/OC DO) zoning.
2. Adopt Resolution No. 6936 affirming the Conditional Use Permit.
3. Adopt Resolution No. 6913 authorizing Agreement No. 2005-003-COS-A1 with Salty Seniorita Scottsdale, LLC, an Arizona limited liability company, amending the existing outdoor dining agreement in order to clarify the permitted uses.

Location: 3636 N. Scottsdale Road

Related Policies, References:

- Zoning Ordinance; Downtown Plan
- Section 2-221(b)(5) of the Scottsdale Revised Code allows the sale of City real property interests, including licenses, directly to adjoining property owners.
- Resolution No. 6579 authorizing Agreement No. 2005-003-COS with Salty Seniorita Scottsdale, LLC, an Arizona limited liability company, to use approximately 800 square feet of the City of Scottsdale street right-of-way at 3636 N. Scottsdale Road for outdoor dining at the adjacent restaurant property.

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

39. Salty Seniorita (Bar) Liquor License – MOTION TO APPROVE – OK – 7/0

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 6 (bar) liquor license for an existing location.

Location: 3636 N. Scottsdale Road

Reference: 2-LL-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

Mayor and Council Items Begin on the Following Page

Mayor and Council Items

40. Resolutions for Submittal to the League of Arizona Cities and Towns – BRIDGET SCHWARTZ MANOCK

Request: Consider the approval of resolutions relating to State legislative issues to be submitted to the League of Arizona Cities and Towns for consideration by the League's Resolutions Committee.

Staff Contact(s): Neal Shearer, Assistant City Manager, 480-312-2604, nshearer@scottsdaleaz.gov; Bridget Schwartz Manock, Government Relations Director, 480-312-2423, bschwartzmanock@scottsdaleaz.gov

Public Comment – PATTY BADENOCK SPOKE ABOUT THE INFRASTRUCTURE IN HER NEIGHBORHOOD.

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

City Manager's Report – NONE

Adjournment – 8:50 PM